

Remarks

Claims 1-15 are pending in the present application. Claims 2, 8 and 12 have been amended. The applicants believe that no new matter has been added. Moreover, the amendments to claims 2 and 8 are provided to the respective preambles for consistency and clarity, but not for reasons related to patentability.

Allowable Subject Matter

The applicants would like to thank the Examiner for the early indication of allowable subject matter with regard to claims 1-11.

35 U.S.C. §112, paragraph 1

Claims 12-15 were rejected under 35 U.S.C. §112, first paragraph. The Examiner argues that the computer program product is not defined in the specification. Claim 12 has been amended herein to recite:

“A computer program product for data transfer in a virtual server environment of a communications network, the computer program product embodied on computer-usable media having computer usable code embodied therewith, the computer program product comprising...”

Support for the amendment to claim 12 can be found in the applicants’ corresponding U.S. Pat. Pub. No. 2003/0133449, at paragraph 76. Further support can also be found at paragraphs 77-79.

In view of the clarifying amendments and remarks herein, the applicants respectfully request that the Examiner withdraw the rejection of claim 12, and the claims that depend there from under 35 U.S.C. §112, first paragraph.

35 U.S.C. §101

Claims 12-15 were rejected under 35 U.S.C. §101 because the computer program product recited in the above claims is per se not on a computer readable medium. As noted in

greater detail above, claim 12 has been amended herein to recite that the computer program product is embodied on one or more computer-usable storage media having computer usable code embodied therewith.

Conclusion

For all of the above reasons, the applicants respectfully submit that the above claims recite allowable subject matter. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,

Stevens & Showalter, L.L.P.

By /Thomas E. Lees/

Thomas E. Lees      Reg. No. 46,867

7019 Corporate Way  
Dayton, Ohio 45459-4238  
Phone 937-438-6848  
Fax 937-438-2124  
March 5, 2007